

PULASKI COUNTY BOARD OF SUPERVISORS MINUTES AUGUST 28, 2000

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, August 28, 2000 at 7:00 p.m. at the County Administration Building, Board Room, 143 Third Street, NW, in the Town of Pulaski, Virginia, the following members were present: Joseph L. Sheffey, Chairman; Dr. Bruce L. Fariss, Vice-Chairman; Charles E. Cook; William E. "Eddie" Hale; and Frank R. Conner. Staff members present included Interim County Administrator, Peter M. Huber; County Consultant and former County Administrator, Joseph N. Morgan; Fleet Maintenance Director, Doug Mayberry; and Management Services Director, Nancy M. Burchett.

1. Invocation

The invocation was given by Reverend Vickie L. Houk of the Christ Episcopal Church.

2. Resolution of Appreciation – Joe Morgan

On the motion of Mr. Conner, seconded by Mr. Cook and carried, the Board of Supervisors adopted the following Resolution of Appreciation honoring former County Administrator, Joseph N. Morgan:

RESOLUTION OF APPRECIATION TO JOSEPH N. MORGAN, COUNTY ADMINISTRATOR

WHEREAS, Joseph N. Morgan has served the citizens of Pulaski County as County Administrator from October 1986 through June 2000; and

WHEREAS, Joseph N. Morgan provided an example of **EXCELLENCE** through selfless dedication of his many professional and personal talents; and

WHEREAS, Joseph N. Morgan managed Pulaski County's financial resources returning the County to a solid financial condition; and

WHEREAS, Joseph N. Morgan's **VISION** led the County in supporting long-term and often regional solutions to these major issues:

◆ **Youth** – Personal involvement in the lives of future leaders of Pulaski County through dedicated service to the Logos program and the expansion of Central Gym to accommodate programs of the Office on Youth;

◆ **Economic Development** – Formation and establishment of Pulaski Encouraging Progress, the New River Valley Economic Development Alliance, the development of three publicly owned industrial parks, construction of two shell buildings, emphasis on assistance to local employers, and participation with 12 other jurisdictions in the formation of Virginia's First Regional Industrial Facilities Authority and the New River Valley Commerce Park;

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- ◆ **Recreation** – Development of Randolph Park and support for volunteer recreation departments through formation of the County-wide Recreation Commission;
- ◆ **Emergency Services** – Support of volunteer fire and rescue squads through the purchase of new equipment and the establishment of REMSI;
- ◆ **Education** – Financing of school computers, establishment of the Southwest Virginia Governors School, support for a long-term school facility improvement plan and renovations to two elementary schools;
- ◆ **Courts** – Reconstruction of the Stone Courthouse following the 1989 fire and expansion of the Brick Courthouse;
- ◆ **Solid Waste** - Establishment and development of the New River Resource Authority Solid Waste Management area;
- ◆ **Incarceration** – Establishment and construction of the New River Valley Regional Jail; and
- ◆ **Staff Development** – Support for personal and profession staff development through participation in numerous variety of training opportunities and professional organizations;

NOW THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors takes **PRIDE** in commending and recognizing the dedicated service of Joseph N. Morgan to the Board of Supervisors and the citizens of Pulaski County; and

BE IT FURTHER RESOLVED, that this Board of Supervisors does hereby extend to Joseph N. Morgan its best wishes for health and happiness in future years; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Board of Supervisors in permanent testimony of its appreciation of the service provided by Joseph N. Morgan.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

At this time Chairman Sheffey and Vice-Chairman Fariss presented to Joseph Morgan a framed copy of the above noted resolution as, well as a framed document entitled "ODE TO JOE".

In addition, Reverend Anthony Daniels on behalf of the Care Board of Directors expressed appreciation and gave a tribute to Mr. Morgan for his service to the county and its citizens over the past 14 years.

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3. Additions to Agenda

The Board reviewed additions to the agenda and accepted them as presented.

4. Public Hearings:

- a. A rezoning request by **James Hager** from Industrial (I-1) to Commercial (CM-1) to allow construction of 6,000 sq. ft. office building and 17,400 sq. ft. of storage buildings on property identified as tax map parcel 056-001-0000-0061, (1.7040 acres), located on the south side of Dominion Dr. (Rt. 1091) 475 ft. west of Cleburne Blvd. (Rt. 100), Draper District.

Interim County Administrator, Peter Huber, noted the above request had been recommended by the Planning Commission to be rezoned to Transitional Industrial District (I-0) rather than Commercial (CM-1) and should have been advertised as Transitional Industrial District (I-0).

Chairman Sheffey opened the public hearing on this matter for public comments.

Mr. James Hager, owner of the above listed property, requested the Board to approve the rezoning request. He advised he was unaware of the Transitional Industrial District (I-0) status.

Dr. Fariss advised if the above request was approved for rezoning to a Commercial (CM1) status, it might constitute spot zoning.

No further comments were heard; therefore, the Chairman closed the public hearing on this matter.

On the motion of Dr. Fariss, seconded by Mr. Hale and carried, the Board of Supervisors approved the above rezoning request to Transitional Industrial District (I-0), as recommended by the Planning Commission, subject to the following conditions and confirmation by staff that the advertising of this public hearing was for rezoning to the Transitional Industrial District (I-0) status rather than Commercial (CM-1) status.

1. a requirement that white pine trees 6 ft. tall be planted at the recommended spacing on lot identified as tax map No. 56-1-57 between the existing block building and the proposed meal storage building;
2. compliance with Virginia Department of Transportation regulations; and
3. a land disturbing permit be issued by the County of Pulaski.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

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- b. A proposal by The Board of Supervisors of Pulaski County pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended, to vacate a portion of a right-of-way located northeast of Beach Rd. (Rt. 757) between lots 19 and 20 of Claytor Lake Estates Subdivision and the project boundaries of the Claytor Lake Impoundment, Ingles District, in order to allow public access to Harry DeHaven Park in the location that improvements have been constructed.

Mr. Huber reported the above request would modify the existing right-of-way to allow for the road to be taken into the secondary system of highways.

Chairman Sheffey opened the public hearing on this matter.

The following individuals voiced concerns regarding this matter and requested the Board of Supervisors to defer action until a later date:

Mr. Gary Buckner, Mr. Chris McCormick; Freddie DeHart; Frank Gearheart; David Spencer and Clarence Byrd.

No other public comments were heard; therefore, the Chairman closed the public hearing.

On the motion of Mr. Cook, seconded by Mr. Conner and carried, the Board of Supervisors tabled the above matter until the October meeting, per the recommendation of the county attorney, to allow for the drafting of a long term agreement assuring lake access by the area residents.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

- c. Adoption of a Local Enterprise Zone Ordinance pursuant to Section 58.1-3245.8 and 58.1-3245.10 of the Code of Virginia, 1950, as amended, encompassing the Pulaski County Corporate Center and facilities and property of Volvo Trucks North America, Inc., as a local enterprise zone.

Mr. Huber advised the adoption of the proposed Local Enterprise Zone Ordinance is necessary in order to bring the Pulaski County Stimulus Program into conformity with the guidelines added to the Virginia state code since the development of the program.

Chairman Sheffey opened the public hearing on this matter.

No public comments were heard; therefore, the Chairman closed the public hearing on this matter.

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On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors tabled this matter until the September meeting to consider inclusion of other industrial parks in the ordinance. Further, the Board requested staff to provide a dollar amount example and advantages and disadvantages of this designation zone to the county as well as the industries.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.
Voting no: none.

d. Carryover Appropriations

Staff reviewed details of the carryover appropriations as outlined in the advertisement for this hearing.

Chairman Sheffey opened the public hearing for comments.

No public comments were heard; therefore, the Chairman closed the public hearing.

On the motion of Mr. Conner, seconded by Mr. Hale and carried, the Board of Supervisors approved the following carryover appropriations and budget amendment for FY 01, as advertised, with the line item details filed with the Management Services Director, Nancy M. Burchett:

REVENUES

GENERAL FUND REVENUES

Revenue from the Commonwealth:

State Grants \$ 440,515

Revenue from Local Sources:

Additional GF Use of Balance 51,334

Carry-over Balance FY 00 \$ 101,482

TOTAL GENERAL FUND \$ 593,331

SCHOOL FUND REVENUES

Revenue from the Federal Government:

Federal Projects 473,387

Revenue from Local Sources:

GF Transfer (Reserved Local Choice) 291,041

Carry-over Balance GF Transfer FY 00 1,235,038

TOTAL SCHOOLFUND \$ 1,999,466

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SCHOOL CONSTRUCTION PROJECTS FUND REVENUES

Revenue from Local Sources:

GF Transfer Balance of Funds – FY 00	\$ 249,288
GF Transfer (Claremont School FY 00 budgeted not appropriated)	<u>675,000</u>
TOTAL SCHOOL CONSTRUCTION FUND	\$ 924,288

GOVERNOR'S SCHOOL FUND REVENUES

Revenues from Local Sources:

Local School Board Share	\$ 219,247
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Revenues from Commonwealth:

State Funding Governor's School	<u>246,084</u>
TOTAL GOVERNOR'S SCHOOL FUND	\$ 465,331

CAPITAL IMPROVEMENTS FUND REVENUES

Revenue from Local Sources:

GF Transfer (carry-over)	\$ 3,692,302
GF Transfer (add'l for FY 00)	286
GF Transfer (FY 00 budgeted not appropriated)	<u>2,000,000</u>
TOTAL CIP FUND	\$ 5,692,588
GRAND TOTAL ALL FUNDS	\$9,675,004

EXPENDITURES

GENERAL FUND:

General & Financial Administration	\$ 17,797
Law Enforcement	4,176
Fire & Rescue	29,506
Corrections & Detentions	340,199
Health & Human Services	153,717
Park, Recreation & Cultural	43,436
Community Development	<u>4,500</u>
TOTAL GENERAL FUND	\$ 593,331

SCHOOL FUND:

Federal Projects	\$ 473,387
Other Grant Projects	123,092
Capital Projects – Carry-over FY 00	756,626
Lottery Proceeds Carry-over FY 00	318,000
Standards of Learning	37,320
Local Choice Adverse Experience	<u>291,041</u>
TOTAL SCHOOL FUND	\$ 1,999,466

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SCHOOL CONSTRUCTION PROJECTS FUND:

School Construction Projects	\$ 924,288
TOTAL SCHOOL CONSTRUCTION FUND	\$ 924,288

GOVERNOR'S SCHOOL FUND:

Regional Governor's School	\$ 465,331
TOTAL GOVERNOR'S SCHOOL FUND	\$ 465,331

CAPITAL IMPROVEMENTS FUND:

Capital Projects	\$ 5,692,588
TOTAL CIP FUND	\$ 5,692,588
GRAND TOTAL ALL FUNDS	\$9,675,004

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

5. Highway Matters:

Virginia Department of Transportation (VDOT) Resident Engineer, Dan Brugh, met with the Board and discussed the following highway matters:

a. Follow-up from Previous Board meeting

1. Rural Addition Status Report

Staff reported the following regarding rural additions:

- a. Cooks Crossing right-of-way requested from Pulaski Furniture;
- b. A community meeting had been scheduled for Hilltop Lane; and
- c. Edgewood Drive – Stan Crigger had met with Town of Dublin utility staff to move water meters off the right-of-way.

The Board requested staff to confirm status details regarding rural additions and report back at the September meeting.

d. Resolution on Rt. 1030, Bagging Plant Road:

On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors adopted the following resolution regarding Rt. 1030, Bagging Plant Road:

WHEREAS, the street described below was established prior to July 1, 1949, has provided continuous public service since its establishment, and is now deemed to provide sufficient public service to warrant its addition as part of the secondary system of state highways.

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NOW, THEREFORE, BE IT RESOLVED, this Board requests the following street be added to the secondary system of state highways, pursuant to 33.1-229, Code of Virginia and the Rural Addition Policy of the Virginia Department of Transportation:

Name of Street: Bagging Plant Road; Length: 0.84 miles
From: Intersection Rte. T-632 To: Intersection Rte. 747
Guaranteed Right-of-Way Width: 50 – 80 feet.
Plat Recorded Date: 11/24/1976; Deed Book 317, Page 310 and
3/16/1982; Deed Book 367, Page 495

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to improve the street to prescribed minimum standards, pursuant to the rural addition policy of the Commonwealth Transportation Board.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

2. Flooding on Pepper's Ferry Loop by Rt. 695

Mr. Brugh reported VDOT plans to raise the road on Rt. 695, Pepper's Ferry Loop, which may help the flooding problems. However, Mr. Brugh advised this raising of the road will not eliminate entirely the problem.

3. Flooding in Dunkard's Road

The Board requested staff to add the above road to the six-year plan waiting list.

4. Construction Status on Rt. 100 Bridge

Mr. Brugh reported this project was scheduled for an early fall completion date.

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5. Temporary Paving of Rt. 807, Hatcher Road

Mr. Brugh advised the temporary paving would be removed.

b. Status of Banks Street

Staff was requested to confirm that Banks Street is on the rural addition listing and provide an update at September Board meeting.

c. Request for Speed Limit Study, Big Valley Drive

Mr. Brugh reported that VDOT had recently reviewed this area and a speed limit posting was not recommended. He further advised that 35 miles per hour would likely be recommended should a speed study be done.

Several residents of Big Valley Drive, Mr. German Ruiz and Mr. Mark Tilley expressed concerns regarding safety of children in the area and requested that a speed limit posting be done by VDOT.

On the motion of Mr. Cook, seconded by Mr. Hale and carried, the Board of Supervisors requested VDOT to do an informal speed study for Big Valley Drive, and authorized staff to contact the school system to seek input on the placement of "Children at Play" signs on this road.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.
Voting no: none.

d. Board of Supervisors Concerns

Supervisor Cook inquired as to the status of traffic lights at Rt. 100, Cleburne Blvd., and at the Route 100 bridge over Peak Creek. Mr. Brugh advised these two traffic lights should be installed very soon. He noted the installation had been delayed by recent rain.

Supervisor Cook also expressed concerns regarding the Rt. 100, Peak Creek Bridge condition.

Dr. Fariss requested that Rt. 693, Rock Creek Road, be placed on the six-year plan waiting list.

On the motion of Dr. Fariss, seconded by Mr. Conner and carried, the Board of Supervisors approved adding Rt. 693, Rock Creek Road, to the six-year plan waiting list.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.
Voting no: none.

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Mr. Brugh noted that a public hearing would need to be held at the October meeting of the Board of Supervisors on the six-year road improvement plan update.

e. Citizen Concerns

Mr. Mark Hines of Waterview Lane requested that this road be paved.

Chairman Sheffey noted that this road might qualify as a rural addition.

On the motion of Dr. Fariss, seconded by Mr. Hale and carried, the Board of Supervisors approved the addition of Waterview Lane to the rural addition listing.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

6. Treasurer's Report

Treasurer Rose Marie Tickle presented the monthly trial balance report, the report of certificates of deposits and the sales tax distribution monthly reports. The Board accepted these reports as presented.

Ms. Tickle also requested the Board approve the disposal of personal and real estate paid tax tickets for the years 1991, 1992, 1993 and 1994.

On the motion of Mr. Hale, seconded by Mr. Conner and carried, the Board of Supervisors approved the disposal of personal and real estate paid tax tickets for the years 1991, 1992, 1993 and 1994 as requested by the Treasurer.

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: Dr. Fariss.

7. Citizens' Comments

No citizen comments were heard at this time.

8. Reports from the County Administrator & Staff:

a. Key Activity Timetable

The Board reviewed the Key Activity Timetable and accepted as presented by staff.

Supervisor Cook requested consideration be given to repainting the County Administration Building trim white.

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b. Animal Pound Study Update

Staff advised the Board of Supervisors of Sheriff Davis' concurrence with the recent Animal Pound Study to appoint a committee to develop and recommend options for the pound improvements.

The Board deferred action on the appointment of a committee until the closed meeting session of this meeting.

c. Code Enforcement Committee

The Board reviewed the recommendation for the appointment of a Code Enforcement Committee to serve as a sounding board by staff in support of improving code enforcement practices.

The Board requested staff to clarify the functions of a code enforcement committee and contact surrounding localities to determine if other localities have such a committee.

d. Health Department Office Space

The Board reviewed a request from the Health Department for new office space, whereas, additional matching county funds in the amount of \$30,668 per year would be needed for the new office space.

On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors approved consideration of alternatives to existing space for the Health Department and approved additional county matching funds, conditional on retaining the sanitarians' offices in the County Administration Building.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

e. Appointments:

The Board deferred appointments until the closed meeting session of this meeting.

f. Literary Loan Fund Application & Resolution – PCHS Projects

On the motion of Mr. Hale, seconded by Mr. Conner and carried, the Board of Supervisors approved the following resolution authorization an application to the Virginia Public School Authority for the sale of \$900,000 school bonds to fund Pulaski County High School improvements:

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**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF PULASKI AUTHORIZING AN APPLICATION
TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY
WITH RESPECT TO THE SALE OF \$900,000 SCHOOL BONDS**

WHEREAS, the Pulaski County School Board and the Board of Supervisors ("Board") of the County of Pulaski, Virginia ("County"), have determined that it is advisable to contract a debt and issue general obligation bonds of the county in an amount not to exceed \$900,000 to finance certain capital improvements for public school purposes ("Bonds") and to sell the Bonds to the Virginia Public School Authority ("VPSA").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PULASKI, VIRGINIA:

1. The County Administration is authorized and directed to submit an application or applications to the VPSA in order to sell the Bonds to the VPSA at the next VPSA bond financing or such subsequent VPSA bond financings as such officer may determine in the best interest of the county.
2. This resolution shall take effect immediately.

Adopted by the Board of Supervisors of the County of Pulaski, Virginia, on August 28, 2000.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

9. Items of Consent:

On the motion of Mr. Conner, seconded by Mr. Cook and carried, the following items of consent were approved by the Board of Supervisors.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

a. Minutes of July 24, 2000

The Board approved the minutes of July 24, 2000 with the deletion of the wording "unless otherwise noted" under the Items of Consent motion.

b. Accounts Payable

The Board approved the accounts payable listing as presented on checks numbered 28827 through 29137.

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c. Appropriations and Transfers:

1. Interoffice Transfer #2 - \$49,661.37

The Board approved interoffice transfer #2 in the amount of \$49,661.37 as prepared by Management Services Director, Nancy M. Burchett.

2. General Fund Appropriations #2 – FY01 - \$632.29 and #26 FY 00 - \$127

Revenues #2:

1899-60 Office on Youth Donations	\$	100.00
1901-16 Seized Asset Forfeiture Proceeds		<u>532.29</u>
Total	\$	632.29

Expenditures #2:

2201-7137 Comm. Attorney Seized Asset Forfeitures	\$	532.29
5322-5412 Office on Youth – Food Supplies		<u>100.00</u>
Total	\$	632.29

Expenditures #26:

1201-1001 County Administration Salaries	\$	127.00
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3. Capital Improvement Fund Appropriations #2 -\$2,935; and #13 FY 00 - \$518,648

Revenues #2:

1899-63 Donations Randolph Park	\$	2,935.00
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Expenditures #2:

7116-7165 Randolph Park Phase I	\$	2,935.00
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Revenues #13:

5102-00 Transfer from General Fund	\$	518,648.00
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Expenditures #13:

9101-901501 Courthouse Bonds Payment	\$	518,648.00
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d. Ratification:

1. Change Order

No change orders were presented for ratification.

2. Agreements, Grants, & Other

a. Van Usage by 4-H

The Board approved usage of the Office on Youth Van by the Extension Office 4-H group for a trip to Atlanta Airport on

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September 8 through 16, 2000.

b. Brown Exterminating Pest Control Service Agreement

The Board ratified an agreement with Brown Extermination for pest control services for the Pulaski County Library for a four-month period.

c. Wampler Fireworks Permit

The Board ratified a fireworks permit issued on August 5, 2000 to B. C. Wampler.

d. Tents/Tables Usage Application

The Board ratified the following Tents/Tables Usage Application as recommended by staff:

TENT USAGE APPLICATION

TENT(S) TO BE USED: _____ solid white popup

_____ solid white popup

FEE: \$15 PER TENT/PER USAGE

NAME AND ADDRESS OF ORGANIZATION REQUESTING TENT:

PERSON RESPONSIBLE FOR PICKING UP AND RETURN TENT(s)

PHONE NUMBER: _____

DATE TENT(S) TO BE USED _____

DATE TENT(S) TO BE RETURNED _____

All users will be responsible for the use of the tent(s). Damage to the tent(s) shall be the full responsibility of the user of the tent. Erection and dismantling of the tents shall be the sole responsibility of the user. Failure to return the tent(s) in the time frame that it was signed out may result in prohibiting further use of the tent(s).

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I HEREBY CERTIFY THAT I AM A DULY APPOINTED REPRESENTATIVE OF THE ABOVE REFERENCE ORGANIZATION AND HAVE BEEN GRANTED AUTHORITY BY SAID ORGANIZATION TO OBTAIN USE OF THE TENT(S). I HEREBY AGREE TO THE TERMS AND FEES SET ABOVE.

Signature

Date

e. Personnel Changes

The Board reviewed recent personnel changes as reported by Management Services Director, Nancy M. Burchett.

f. Modification of County Procurement Policy

The Board approved modifications to the County Procurement Policy as recommended by staff. Policy approved as follows:

**COUNTY OF PULASKI
PURCHASING REGULATIONS
OCTOBER 15, 1983 (ADOPTED)
SEPTEMBER 1, 1984 (REVISED)
APRIL 27, 1987 (REVISED)
MARCH 27, 1989 (REVISED ADMINISTRATIVELY FOR CLARITY)
SEPTEMBER 18, 1989 (REVISED)
MARCH 23, 1992 (REVISED)
MARCH 23, 1998 (REVISED)
AUGUST 24, 1998 (REVISED)
DECEMBER 20, 1999 (REVISED)
AUGUST 28, 2000 (REVISED)**

Effective September 1, 1984, all departments of the County of Pulaski shall adhere to the following purchasing regulations. These regulations are established in accordance with the Board of Supervisors resolution of October 4, 1983, which set forth the general procurement policy of the county.

I. SOURCE OF AUTHORITY

The General Assembly of Virginia enacted into law a set of regulations which govern all purchases by political subdivisions. These regulations are contained in Chapter 7 of Title 11 of the Code of Virginia.

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The Board of Supervisors is held accountable for seeing that all expenditures of public funds under its control are spent in compliance with this law. The Board of Supervisors established the general procurement policy of the County of Pulaski on October 4, 1983, with stipulation that detailed procedures would be established by the county administrator. The county administrator promulgated rules and regulations taking effect October 15, 1983. These rules and regulations have been revised effective September 1, 1984, April 27, 1987, March 27, 1989, September 18, 1989, March 23, 1998, August 24, 1998 and December 20, 1999.

II. LINE OF RESPONSIBILITY

The Board of Supervisors is responsible to the Commonwealth of Virginia for Compliance with the provisions of Chapter 7 of Title 11 of the Code of Virginia. The Board will hold the county administrator responsible for management of procurement policies and adherence to purchasing laws. The county administrator will hold department heads responsible for compliance with these regulations. The county has implemented an automated purchase order system which allows reporting to the Board of Supervisors weekly of all purchases. This weekly reporting allows any questionable purchases to be delayed until any Board of Supervisors member has an opportunity to review the appropriateness of the purchase.

III. PURCHASES UNDER FIVE HUNDRED DOLLARS (\$500)

Purchases of a routine nature which are incidental to the daily operation of Pulaski County departments may be made by certain designated individuals without the prior approval of the county administrator, provided the amounts of such purchases do not exceed five hundred dollars (\$500). Individuals authorized to make purchases under five hundred dollars are:

Assistant County Administrator
Assistant Library Director
Building Official
Chief Water Plant Operator
Circuit Court Clerk
Commissioner of the Revenue
Commonwealth Attorney
County Engineer
Data Processing Manager
Director of Fleet Maintenance & operations
Director of Management Services
Director of Office on Youth

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Emergency Services Coordinator
Executive Secretary
Garage Supervisor
General District Court Clerk
General Properties Supervisor
Library Director
Randolph Park Coordinator
Recreation Coordinator
REMSI Executive Director
Refuse Collection Supervisor
Registrar
Sheriff
Treasurer
Water Maintenance Supervisor
Water Treatment Plant Superintendent
Zoning Administrator

Any purchase made pursuant to the above authorization shall be evidenced by a purchase order. Three copies of the purchase order shall be completed and distributed as follows:

One Copy - Sent to vendor
One Copy - Retained by department making purchase. When invoice is received, place copy with invoice and send to accounts payable clerk.
One Copy - Sent to county administrator

Purchase orders entered through the automated purchase order system will be filed by that system.

Competitive bidding of purchases under five hundred dollars (\$500) is not required. Employees authorizing such purchases should exercise reasonable care to insure that a fair market price is paid for items purchased.

The county administrator copies of purchase orders should be forwarded-on a daily basis.

IV. PURCHASES OVER FIVE HUNDRED DOLLARS BUT LESS THAN SEVENTY FIVE HUNDRED DOLLARS

Any purchase greater than five hundred dollars (\$500) must have the approval of the county administrator. The administrator's approval must be evidenced on the purchase order. Purchases greater than five hundred dollars (\$500) will be handled in one of three ways. First, if a purchase is from a sole source provider such as a subscription to a periodical, membership dues, special piece of equipment, etc., a

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purchase order form should be completed and sent to the county administrator's office along with an envelope addressed to the vendor. If the purchase order is approved, it will be mailed by the administrator's office. Purchase orders entered through the automated purchase order system will be filed by that system. All sole source purchases shall be posted in a designated public area by the County Administrator's Office. Second, for a purchase greater than five hundred dollars (\$500) where the same commodity is offered by several vendors, the county administrator will require evidence of competitive pricing. Such evidence, if required, should be from at least three vendors.

Evidence of competitive pricing should contain a listing of vendors and the prices for which they will supply a needed item. All prices should be based on delivery of the item to its needed location. Telephone inquiries will suffice if a careful record is maintained of the person from whom the price is obtained and the date and time the quotation was received. Documentation of competitive pricing should be submitted with a properly completed purchase order to the county administrator's office in accordance with the instruction previously outlined. One copy of the documentation should be maintained in the department making the purchase.

Third, the purchase of an item costing more than five hundred (\$500), but anticipated to be less than seventy-five hundred dollars (\$7,500.00) may, at the discretion of the county administrator, be submitted to sealed bidding. The requesting department should contact the county administrator's office to ascertain if bidding will be required. Competitive pricing will be handled in accordance with the procedures outlined above either by the department requesting the purchase or the county administrator's office.

Bidding will be handled by the county administrator's office unless otherwise directed by the county administrator. Bidding shall be conducted in accordance with the Board of Supervisors resolution of October 4, 1983, September 18, 1989, and Chapter 7 of Title II of the Code of Virginia, as amended.

V. PURCHASES OVER SEVENTY-FIVE HUNDRED DOLLARS (\$7,500.00)

All purchases anticipated to be over seventy-five hundred dollars (\$7,500.00) shall be submitted to competitive sealed bidding in accordance with the Board of Supervisors resolution of October 4, 1983, September 18, 1989, and Chapter 7 of Title II of the Code of Virginia, as amended. The county administrator or his designee shall conduct the bidding process. Purchases of less than \$30,000 may be made without

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additional competitive procurement where an item on state contract may be purchased from another vendor at a price equal to or less than state contract prices.

VI. EMERGENCY PROCUREMENT

The Board of Supervisors has authorized the county administrator to expend up to thirty thousand dollars (\$30,000) for goods or services without competitive bidding when the county administrator determines an emergency to exist requiring Immediate procurement of a needed item. A department head requesting the county administrator to authorize an emergency purchase should be able to demonstrate one or more of the following:

1. Delay in purchasing a given good or service would result in danger health and safety.
2. Delay in purchasing a given good or service would result in the county incurring substantial cost or serious exposure to potential litigation.
3. Delay in purchasing a given good or service would result in undue danger or hardship on county employees in the performance of their duties.
4. Delay in purchasing a given good or service would prevent the county from the performance of any of its normal daily operations and service.

An emergency purchase shall be made only after direct authorization from the county administrator.

VII. BLANKET PURCHASE ORDERS

The county may determine that it is in the best interest to bid on open contract frequently purchased items such as office supplies and auto parts. When this procedure is used, frequently purchased items shall be submitted to competitive bid and a price set for the items for a given period of time. All county departments would then be required to purchase the items from the bidder awarded the contract. This process would permit departments to purchase items over five hundred dollars (\$500) without having such purchases approved by the county administrator. Department heads will be notified of any blanket purchase orders awarded by the county. A purchase order must be completed in the same manner as set forth in Section III above.

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VIII. PROFESSIONAL SERVICES

Professional services shall be secured in accordance with the provisions of 11-37 (3) a. of the Code of Virginia, as amended. The county administrator shall approve any contract for professional services.

IX. BASIS FOR AWARD OF BIDS OR CONTRACT FOR GOODS OR SERVICES

Price shall be a major factor in the award of a bid or contract. However, other factors such as the following shall be considered:

1. Durability and reliability of product or service.
2. Availability of replacement parts and service.
3. Availability of auxiliary or back-up service and support.
4. Past relationships with the vendor or contractor.
5. Delivery date of the commodity or completion date of service.

When a contract is awarded to a vendor or contractor other than the lowest bidder, a written explanation shall be given detailing the reasons for this action. Such action must be approved by the county administrator.

X. VIOLATIONS OF PURCHASING REGULATIONS

A violation of these regulations by an employee of Pulaski County will result in one or more of the following:

1. Voiding of the purchase which was made in violation of the regulations.
2. Employee who violates the regulations being required to pay for the purchase made in violation of the regulations.
3. Suspension of the employee committing the violation without pay.
4. Dismissal of the employee committing the violation without pay.
5. Prosecution of the employee committing the violation.

The county administrator shall judge any violation of these policies and be the sole determinate of any punitive action taken against an employee for violation of the regulations. The County of Pulaski will not defend an employee against litigation arising out of a purchase made in violation of the regulations.

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XI. AMENDMENTS

From time to time, the county may need to amend or modify these regulations. When such amendments or modifications take effect, the county administrator shall notify each department head of the changes in writing.

XII. ADHERENCE TO PROVISIONS OF VIRGINIA PUBLIC PROCUREMENT ACT

It is recognized that the requirements for public procurement contained in the Virginia Public Procurement Act may change from time to time. The requirements of Pulaski County Purchasing Regulations shall be automatically amended to embrace the amended standards of the Virginia Public Procurement Act when such alterations occur. The county administrator shall notify all department heads in writing of such changes.

XIII. EMERGENCY PURCHASES WHEN COUNTY ADMINISTRATOR IS UNAVAILABLE TO AUTHORIZE A NEEDED EXPENDITURE

When the county administrator is not available and cannot be reached to authorize an emergency purchase or other vitally needed expenditure, the following rules shall apply:

1. Purchases for Garage and Refuse Collection - Such purchase shall be authorized by the director of fleet maintenance and operations or assistant county administrator.
2. Purchases for water treatment water distribution and landfill - Such purchases shall be authorized by the county engineer or assistant county administrator.
3. Purchases for all other departments - Such purchases shall be authorized by the director of management services or assistant county administrator.

XIV. LOCAL BUYING

It is the desire of the County to purchase from Pulaski County vendors whenever possible. Where the projected purchase price will be less than \$15,000 the contract may be awarded to the lowest responsive and responsible bidder from Pulaski County so long as that bidder's bid price is not more than one percent (1%) greater than the bid price of the lowest responsive and responsible bidder from outside Pulaski County.

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XV. VENDOR DONATIONS

Vendors may donate all or a portion of their goods and services to the county. Vendors for which the county will pay less than \$30,000 for a specific good or service may include a donation to the county of all or a portion of their quote for such goods and services. In situations where the net cost to the County is greater than \$7,500, donations should be presented as part of the bid process. In situations where a partial donation is being made through a discounted price greater than \$500, the net cost to the county shall be less than the next higher bid from any other vendor of a good or service of equal quality as documented through receipt of quotes from at least two other vendors if available.

g. Statewide Mutual Aid for Emergency Management Resolution

The Board adopted the following Mutual Aide For Emergency Management Resolution:

Statewide Mutual Aid for Emergency Management Resolution

WHEREAS, the commonwealth of Virginia Emergency Services and Disaster Law of 2000, as amended, (Title 44, Chapter 3.2 of the Virginia Code) authorizes the Commonwealth and its political subdivisions to provide emergency aid and assistance in the event of a major disaster; and

WHEREAS, the statutes also authorize the State Emergency Operations Center to coordinate the provision of any equipment, services, or facilities owned or organized by the Commonwealth or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area; and

WHEREAS, this Resolution authorizes the request, provision, and receipt of interjurisdictional mutual aid in accordance with Title 44, Chapter 3.2 of the Code of Virginia among political subdivisions, other authorized entities and officers within the Commonwealth;

NOW THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors resolves that the Pulaski County Board of Supervisors shall have the authority to participate in Statewide Mutual Aid in the event of emergency or disaster in accordance with the following terms and conditions, which shall be in the nature of a compact and agreement among participating entities which have adopted similar executive orders, ordinances or resolutions. This Statewide Mutual Aid program may include requests for and provision of personnel, equipment, materials, and other forms of assistance, or any combination of assistance, to any entity within the Commonwealth, pursuant to the following terms and conditions:

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SECTION 1. DEFINITIONS

A. "EVENT AGREEMENT" – a contract between two member political subdivisions entered into at the time of emergency in which the Assisting Party agrees to provide specified resources to the Requesting Party under the terms and conditions specified in the Agreement.

B. "REQUESTING PARTY" – the member political subdivision requesting aid in the event of an emergency or disaster and participating in the Statewide Mutual Aid Program pursuant to the terms and conditions of this Resolution.

C. "ASSISTING PARTY" – the member political subdivision furnishing equipment, services and/or manpower to the Requesting Party, and participating in the Statewide Mutual Aid Program ("the Program") pursuant to terms consistent with those in this Resolution.

D. "AUTHORIZED REPRESENTATIVE" – an officer or employee of a member political subdivision authorized in writing by that entity to request, offer, or provide assistance under the terms of this Resolution.

E. "DEPARTMENT" – the Department of Emergency Management.

F. "EMERGENCY" – any occurrence, or threat thereof, whether natural, or caused by man, in war or in peace, which results or may result in substantial injury or harm to the population, substantial damage to or loss of property, or substantial harm to the environment.

G. "DISASTER" – any natural, technological, or civil emergency that caused damage of sufficient severity and magnitude to result in a declaration of a state of emergency by the Governor or the President of the United States.

H. "IMPLEMENTATION GUIDEBOOK" – Guidance document promulgated by the Department to assist member political subdivisions with Statewide mutual aid activities, to provide procedures and minimum standards for participation, and to provide for compliance with state and federal reimbursement requirements.

I. "MAJOR DISASTER" – a disaster which is likely to clearly exceed local capabilities and require a broad range of state and federal assistance.

J. "MEMBER POLITICAL SUBDIVISION" – any political subdivision or authorized officer or agency within the Commonwealth of Virginia which maintains its own emergency services organization and plan and which enacts an ordinance or resolution or promulgates an executive order with terms substantially similar to those set out in this Resolution, authorized

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Statewide mutual aid pursuant to Title 44 of the Virginia Code.

K. "STATE EOC" – the Virginia Emergency Operations Center from which assistance to localities is coordinated when local emergency response and recovery resources are overwhelmed. This facility is operated by the Virginia Department of Emergency Management.

Section 2. PROCEDURES FOR PROVISION OF MUTUAL AID

When a member political subdivision either becomes affected by, or is under imminent threat of an emergency or disaster, and as a result, has officially declared an emergency, it may request emergency-related mutual aid assistance by: (1) submitting a Request for Assistance to an Assisting Party or to the State EOC, or (2) orally communicating a request for mutual aid assistance to an Assisting Party or to the State EOC, followed as soon as practicable by written confirmation of the request. Mutual aid shall not be requested by a member political subdivision unless resources available within the stricken area are deemed to be inadequate. All requests for mutual aid must be transmitted by the Authorized Representative of the member political subdivision or the Director of Emergency Management. No member political subdivision shall be required to provide mutual aid unless it determines that it has sufficient resources to do so.

A. REQUESTS DIRECTLY TO ASSISTING PARTY: The Requesting Party may directly contact the Authorized Representative of the Assisting Party and provide the information in the Request Form prescribed in the SMA Implementation Guidebook. Each Assisting Party must communicate directly with the Requesting Party in order to execute an Event Agreement. The Requesting Party shall be responsible for keeping the State EOC advised of the status of mutual aid activities.

B. REQUESTED ROUTED THROUGH, OR ORIGINATING FROM THE STATE EOC: The Requesting Party may directly contact the State EOC, in which case it shall provide the information in the Request Form in the SMA Implementation Guidebook. The State EOC may then contact other member political subdivisions on behalf of the Requesting Party. Once identified, each Assisting Party must communicate with the Requesting Party in order to execute an Event Agreement.

C. ASSESSMENT OF AVAILABILITY OF RESOURCES AND ABILITY TO RENDER ASSISTANCE: When contacted by a Requesting Party, or by the State EOC on behalf of the Requesting Party, the Authorized Representative of any member political subdivision agrees to assess local resources to determine available personnel, equipment and other assistance.

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D. SUPERVISION AND CONTROL: When providing assistance under the terms of this Agreement, the personnel, equipment, and resources of any Assisting Party will be under the operational control of the Requesting Party, which shall advise supervisory personnel of the Assisting Party of work tasks, for assignment to personnel. Direct supervision and control of personnel, equipment and resources shall remain with the designated supervisory personnel of the Assisting Party. The designated supervisory personnel of the Assisting Party shall: maintain daily personnel time records, material records, and a log of equipment hours; be responsible for the operation and maintenance of the equipment and other resources furnished by the Assisting Party; and shall report work progress to the Requesting Party. The Assisting Party's personnel and other resources shall remain subject to recall by the Assisting Party at any time, subject to reasonable notice to the Requesting Party. At least twenty-four hour advance notification of intent to withdraw personnel or resources shall be provided to the Requesting Party unless such notice is not practicable, in which case, such notice as is reasonable shall be provided.

E. FOOD, HOUSING, AND SELF-SUFFICIENCY: Unless specifically instructed otherwise, the Requesting Party shall have the responsibility of providing food and housing for personnel of the Assisting Party from the time of their arrival at the designated location to the time of their departure. However, Assisting Party personnel and equipment should be, to the greatest extent possible, self-sufficient while working in the emergency or disaster area. The Requesting Party may specify only self-sufficient personnel and resources in its request for assistance.

F. COMMUNICATIONS: Unless specifically instructed otherwise, the Requesting Party shall have the responsibility for coordinating communications between the personnel of the Assisting Party and the Requesting Party. Assisting Party personnel should be prepared to furnish communications equipment sufficient to maintain communications among their respective operation units.

G. RIGHTS AND PRIVILEGES: Whenever the officials, employees and volunteers of the Assisting Party are rendering aid pursuant to this Agreement, such employees shall have the powers, duties, rights, privileges, and immunities, and shall receive the compensation, incidental to their employment or position.

H. TERM OF DEPLOYMENT: The initial duration of a request for assistance is normally seven days and may be extended, if necessary, in seven day increments. However, the duration may be shorter or longer as reflected in the Event Agreement.

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I. SUMMARY REPORT: Within ten days of the return of all personnel deployed under SMA, the Requesting Party will prepare a Summary Report of the event, and provide copies to each Assisting Party and to the Department. The Report shall be in a format described by the Department and shall include a chronology of events and description of personnel, equipment and materials provided by one party to the other.

SECTION 3. REIMBURSABLE EXPENSES

The terms and conditions governing reimbursement for any assistance provided pursuant to this Resolution shall be in accordance with the following provisions, unless otherwise agreed upon by the Requesting and Assisting Parties and specified in the Event Agreement.

A. PERSONNEL: During the period of assistance, the Assisting Party shall continue to pay its employees according to its then prevailing ordinances, rules and regulations. The Requesting Party shall reimburse the Assisting Party for all direct and indirect payroll costs and expenses (including travel expenses, benefits, workers' compensation claims and expenses) incurred during the period of assistance, unless agree to otherwise by the parties in the Event Agreement.

B. EQUIPMENT: The Assisting Party shall be reimbursed by the Requesting Party for the use of its equipment during the period of assistance according to either a pre-established local or state hourly rate or according to the actual replacement, operation, and maintenance expenses incurred. For those instances in which some costs may be reimbursed by the Federal Emergency Management Agency, the eligible direct costs shall be determined in accordance with 44 CFR 206.228, or other regulations in effect at the time of the disaster. Each Party shall maintain its own equipment in safe and operational condition. At the request of the Assisting Party, fuels, miscellaneous supplies, and minor repairs may be provided by the Requesting Party, if practical. If the equipment charges are based on a pre-established local or state hourly rate, then these charges to the Requesting Party shall be reduced by the total value of the fuels, supplies, and repairs furnished by the Requesting Party and by the amount of any insurance proceeds received by the Assisting Party.

C. MATERIALS AND SUPPLIES: The Assisting Party shall be reimbursed for all materials and supplies furnished by it and used or damaged during the period of assistance, except for the costs of equipment, fuel and maintenance materials, labor and supplies, which shall be included in the equipment rate established above, unless such damage is caused by gross negligence, or willful and wanton misconduct of the Assisting Party's personnel. The measure of reimbursement shall be determined in

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accordance with 44 CFR 206.228 or other regulations in effect at the time of the disaster. In the alternative, the Parties may agree that the Requesting Party will replace, with like kind and quality as determined by the Assisting Party, the materials and supplies used or damaged. If such an agreement is made, it shall be reduced to writing and transmitted to the Department.

D. RECORD KEEPING: The Assisting Party shall maintain records and submit invoices for reimbursement by the Requesting Party in accordance with existing policies and practices. Requesting Party and Department finance personnel shall provide information, directions, and assistance for record keeping to Assisting Party personnel. Later, Department personnel will provide assistance to the Requesting Party in seeking federal/state reimbursement.

E. PAYMENT: Unless otherwise mutually agreed, the Assisting Party shall bill the Requesting Party for all reimbursable expenses with an itemized statement as soon as practicable after the expenses are incurred, but not later than sixty (60) days following the period of assistance, unless the deadline for identifying damage is extended in accordance with applicable federal or State regulations. The Requesting Party shall pay the bill, or advise of any disrupted items, not later than sixty (60) days following receipt of the statement, unless otherwise agreed upon.

F. WAIVER OF REIMBURSEMENT: A member political subdivision may assume or donate, in whole or in part, the costs associated with any loss, damage, expense or use of personnel, equipment and resources provided.

SECTION 4. INSURANCE

A. WORKERS' COMPENSATION COVERAGE: Each member political subdivision shall be responsible for its own actions and those of its employees and is responsible for complying with the Virginia Workers' Compensation Act.

B. AUTOMOBILE LIABILITY COVERAGE: Each member political subdivision shall be responsible for its own actions and is responsible for complying with the Virginia motor vehicle financial responsibility laws. Member political subdivisions agree to obtain automobile liability coverage with a limit of at least \$1,000,000 combined single limit and coverage for owned, non-owned, and hired vehicles. It is understood that the local government may include in the emergency response volunteer companies that have motor vehicles titled in the name of the volunteer company. It is the responsibility of each member political subdivision to determine if the volunteer company has automobile liability coverage as outlined in this section.

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C. GENERAL LIABILITY, PUBLIC OFFICIALS LIABILITY, AND LAW ENFORCEMENT LIABILITY: To the extent permitted by law and without waiving sovereign immunity, each member political subdivision shall be responsible for any and all claims, demands, suits, actions, and damages, and causes for action related to or arising out of or in any way connected with its own actions, and the actions its personnel in providing mutual aid assisting rendered or performed pursuant to the terms and conditions of this Resolution. Each member political subdivision agrees to obtain general liability, public officials' liability and law enforcement liability, if applicable, with minimum single limits of no less than one million dollars.

SECTION 5. ROLE OF THE DEPARTMENT OF EMERGENCY MANAGEMENT

The Department shall, during normal operations, provide staff support to political subdivisions, officers and authorized agencies, serve as the central depository for agreements, resolutions, ordinances and executive orders, maintain a current listing of member political subdivisions, and provide a copy of this listing to each on an annual basis. The State EOC shall, during emergency operations (1) request mutual aid on behalf of a member political subdivision, under the circumstances identified in this Agreement, (2) keep a record of all Requests for Assistance and Acknowledgements, (3) report on the status of ongoing emergency or disaster-related mutual aid as appropriate, and assist participants in meeting all procedural and other requirements, including those pertaining to federal and state cost reimbursement.

SECTION 6. SEVERABILITY AND THE EFFECT ON OTHER RESOLUTIONS

Should any portion, section, or subsection of this Resolution be held to be invalid by a court of competent jurisdictions, that fact shall not affect or invalidate any other portion, section or subsection; and the remaining portions of this Resolution shall remain in full force and effect without regard to the section, portion, or subsection or power invalidated. In the event that any parties to this Resolution have entered into other mutual aid agreements, those parties agreed that said agreement will remain in effect unless they conflict in principle with this Resolution, in which case they are superseded by this Resolution. In the event that two or more parties to this Resolution have not entered into another agreement, and the parties wish to engage in mutual aid, then the terms and conditions of this Resolution shall apply between those parties.

Adopted this 28th day of August, 2000.

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h. Building Inspection Assistance to Carroll County through mid October

The Board approved a request from Carroll County for possible building inspection staff assistance through mid October 2000 as recommended by staff, subject to Carroll County not receiving assistance from other sources.

i. Planning Commission/IDA/BZA Compensation

The Board approved the following compensation for the Planning Commission members, Industrial Development Authority members and the Board of Zoning Appeals members effective immediately per staff recommendation:

Planning Commission Members - \$150 per month
Industrial Development Authority Members - \$50.00 per meeting
Board of Zoning Appeals Members - \$50.00 per meeting

j. New River Valley Criminal Justice Services Board Pretrial Services Program

The Board approved Pulaski County serving as the administrative and fiscal agent for the Pretrial Services Grant in the amount of approximately \$100,000 through the State Department of Criminal Justice Services as requested by the NRV Criminal Justice Services Board.

k. C. E. Richardson Benevolent Foundation Application for Funding Support of the 2001 Claytor Lake Festival

The Board approved acceptance of any funding on behalf of the Claytor Lake Festival Committee that may be granted by the C. E. Richardson Benevolent Foundation. Further, the Board authorized application to the Foundation for funding support for 2001.

l. Deferral of Comp Time Policy Implementation

The Board approved the deferral of the comp time policy implementation to September 1, 2001. Said policy shall read as follows:

Compensatory Time Policy for Executive, Administrative and Professional Employees

Compensatory time for employees exempt from the FLSA is earned at a straight hour for hour. However, compensatory time shall be received for any hours worked over time (9) hours per workday, if such hours were the result for required night meetings. Work performed on weekends or holidays is eligible for compensatory time at a straight hour for hour. Prior

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approval by the County Administrator is required for overtime hours worked in excess of eight (8) hours per week by the supervisor or department head.

Compensatory time accrued exceeding 30 days or 240 hours by employees exempt from the FLSA shall be lost by the employee if not used by June 30 of each year. Further, it shall be the policy that employees exempt from the FLSA shall only be compensated for a maximum of 30 days or 240 hours of accrued compensatory time upon retirement, resignation or termination. This policy regarding payment of compensation time and loss of compensatory time from year to year shall be effective September 1, 2001.

The following is a list of county employee positions to which the above applies:

<u>County Administration</u>	<u>Office on Youth</u>
County Administrator	Office on Youth Director

Assist. County Administrator
Assistant Co. Administrator

<u>Management Services</u>	<u>Library</u>
Management Services Director	Library Director

<u>Water Treatment Plant</u>	<u>Building Department</u>
Plant Superintendent	Building Official

Fleet Maintenance & Operations
Director of Fleet Maint. & Operations

<u>Emergency Services</u>	<u>Engineering</u>
Emerg. Serv. Coordinator	County Engineer

<u>Recreation</u>	<u>Zoning</u>
Youth Sports Coordinator	Zoning Administrator

10. Citizen Comments

Ms. Lori Nelson inquired regarding the appointments to the Animal Control Study Committee and timetable for improvements to the Animal Pound. Ms. Nelson also presented to the Board a summary sheet outlining Virginia General Assembly House Bill 1514 regarding civil penalties for pound violations.

Staff reported construction is hoped to occur next summer.

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11. Other Matters from Supervisors

Supervisor Fariss requested the citizens' survey regarding the library building renovations be reviewed by the Board of Supervisors prior to distribution of the survey to the general public.

On the motion of Dr. Fariss, seconded by Mr. Hale and carried, the Board of Supervisors requested staff to send a letter of concern to Lowe's Company representatives regarding the Lowe's store closing in Dublin. Said letter to include an expenditures listing of monies spent by the county at the Lowe's store in Dublin over the past few years with a copy of said letter to be sent to other regional building supply stores in the area.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

12. Closed Meeting – 2.1-344.A.1.3.5.7

It was moved by Mr. Hale, seconded by Mr. Conner and carried that the Board of Supervisors enter closed session for discussion of the following:

Property Disposition or Acquisition – Pursuant to Virginia Code Section 2.1-344(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- Elementary School Siting
- Restaurant

Personnel - Pursuant to Virginia Code Section 2.1-344(A)1 discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding:

- Pending appointments as follows:
 1. Animal Shelter Advisory Committee
 2. New River Community Services Board
 3. Business Tax Advisory Committee
 4. Code Enforcement Advisory Committee
 5. PEP Steering Committee
 6. NRV Agency on Aging
 7. Social Services Board
 8. New River Valley Planning District Commission
 9. New River Valley Disability Services Board

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Prospective Industry – Pursuant to Virginia Code Section 2.1-344(A)5 discussion concerning a prospective business or industry, or the expansion of an existing business and industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

- Property option

Legal Matters – Pursuant to Virginia Code Section 2.1-344(A)7 consultation with legal counsels and briefing by staff for discussion of specific legal matters and matters subject to probably litigation regarding:

- Report of Personal Interests by Mr. Huber;
- Dick Price Ford Case;
- Local Choice Program;
- Memorial Bridge; and
- Commerce Park Option

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

Return to Regular Session

On the motion of Mr. Hale, seconded by Mr. Cook and carried, the Board of Supervisors returned to regular session.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

Certification of Conformance with the Virginia Freedom of Information Act

It was moved by Mr. Cook, seconded by Mr. Hale and carried, that the Board of Supervisors adopt the following resolution certifying conformance with the Virginia Freedom of Information Act.

WHEREAS, the Board of Supervisors of Pulaski County, Virginia, has convened a closed meeting of this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act:

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

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NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Pulaski County, Virginia hereby certifies to the best of each members' knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in this motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.

Voting no: none.

*Personnel:

On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors made the following appointments:

1. Animal Shelter Advisory Committee

The Board appointed Judy Flemming, Rebecca English, Van Covey, Dr. David Stanley, Mike Alderman, representing the Sheriff's Department, Doug Mayberry, representing county staff, Pulaski Town Manager, Gary Elander, and Dublin Town Manager, Bill Parker to serve on the Animal Shelter Advisory Committee.

2. New River Community Services Board

The Board requested staff to ask Holly Shannon and Ron Chaffin to consider serving on the New River Community Services Board.

3. Business Tax Advisory Committee

The Board appointed Jon Wyatt, Kendall Clay, Bob Hudson, C. E. Boyd, William May and Gus Vlahos to serve on the Business Tax Advisory Committee.

4. Code Enforcement Advisory Committee

The Board took no action on the above committee appointments at this time.

5. PEP Steering Committee

The Board appointed Dublin Town Manager, Bill Parker to the PEP Steering Committee for a term ending June 30, 2003.

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6. NRV Agency on Aging

The Board reappointed Elaine Powell for one additional term ending September 1, 2001 with Peter Huber to serve as alternate to Ms. Powell.

7. Social Services Board

The Board appointed Ms. Sybil Atkinson to serve on the Social Services Board for a term ending August 31, 2004.

8. New River Valley Planning District Commission

The Board appointed Mr. Tom Owen to serve on the New River Valley Planning District Commission for a term ending June 30, 2001.

9. New River Valley Disability Services Board

The Board appointed Ms. Sally Quesenberry and Mr. Gary Heinline to serve on the New River Valley Disability Services Board.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.
Voting no: none.

13. Adjournment

It was moved by Mr. Conner, seconded by Mr. Hale and carried, that the Board of Supervisors adjourn until the next regular meeting of the Board set for September 25, 2000 at 7:00 p.m. at the County Administration Building, 143 3rd Street, NW, Board Room, in the Town of Pulaski, Virginia.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. Hale and Mr. Conner.
Voting no: none.

Joseph L. Sheffey, Chairman

Peter M. Huber, Interim Clerk